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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,608

05/30/2008

Steven J. Leverette

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EXAMINER

FIORIELLO, BENJAMIN F

ART UNIT

PAPER NUMBER

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/599,608	Applicant(s) LEVERETTE ET AL.	
	Examiner BENJAMIN FIORELLO	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)), and MPEP § 609.04(a), subsection I. states, "the list ... must be submitted on a separate paper." Therefore, the references cited in the Search Report have not been considered. Applicant is advised that the date of submission of any item of information or any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(e). See MPEP § 609.05(a).

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the deck supported above said water surface, the anchoring means, the outer columns being located along

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the pontoon but not at the distal ends of said pontoons, and the four corner columns being battered must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

2. The drawings are objected to because of the inappropriate black levels on figures 2-4.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 5-8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 5, claim 1 states the outer columns are located at the distal ends of the pontoons. Claim 5, dependent upon claim 1, further states the outer columns are not located at the distal ends of said pontoons. It is unclear what applicant is intending to claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Wetch (2003/0031517).

With regard to claims 1 and 9, Wetch discloses a floating platform comprising:
a central column (44) having an upper end and a lower end (fig. 4);
pontoons (42) extending radially outward from said lower end of said central column (fig. 4);

outer columns (40) located at the distal ends of said pontoons (fig. 4), said outer columns extending substantially vertically (fig. 4);

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a deck (12) supported above the water surface on said central column and said outer columns (fig. 4); and

anchor means (34, 36) securing said floating platform to the sea bottom (figs. 5-6).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wetch (2003/0031517) in view of Huang et al. (6,447,208).

With regard to claims 2-4, Wetch discloses the invention substantially as claimed however is silent regarding the outer columns being battered and the angle being in the range of 6-8 degrees.

Huang discloses a floating platform wherein the outer columns (102) are battered (figs. 1E-1F) and the angle being in the range of 6-8 degrees (col. 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wetch and batter the outer columns as taught by Huang in order to further stabilize the structure.

With regard to claims 5-8, Wetch, as modified above, discloses the invention substantially as claimed however is silent regarding the outer columns located along the pontoons, but not at the distal end of the pontoons.

Huang discloses the outer columns not located along the distal ends of the pontoons (fig. 2B). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wetch and locate the columns not at the distal end as taught by Huang in order to allow multiple platform to easily be connected to one another.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al. (6,447,208).

With regard to claim 10, Huang, in one embodiment (fig. 6) discloses a floating platform comprising:

a) four comer columns (652) each having an upper end and a lower end (fig. 6);
pontoons (660) extending between said lower ends of said comer columns forming a square or rectangle (fig. 6);

a deck (604) supported above the water surface on said comer columns (fig. 6);
anchor means (668) securing said floating platform to the sea bottom (col. 10, lines 30-40).

Huang fails to disclose the four comer columns being battered such that the tops are closer together than the bottoms.

In an alternative embodiment (figs. 1E-1F), Huang discloses a floating platform wherein the outer columns (102) are battered (figs. 1E-1F) and the angle being in the range of 6-8 degrees (col. 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the one embodiment of Huang and batter the outer columns as taught by the second embodiment to Huang in order to further stabilize the structure.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Huang et al. (6,503,023)

Huete (5,590,982)

Ray et al. (3,919,957)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN FIORELLO whose telephone number is (571)270-7012. The examiner can normally be reached on Monday to Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571)272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Kreck/
Primary Examiner, Art Unit 3672

BF
06/06/2011